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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,745	09/22/2003	Raymond L. Sharrah	P02973US1 (220-Streamligh	1886
110	7590	12/28/2005		EXAMINER
DANN, DORFMAN, HERRELL & SKILLMAN 1601 MARKET STREET SUITE 2400 PHILADELPHIA, PA 19103-2307			LEE, Y MY QUACH	
			ART UNIT	PAPER NUMBER
				2875

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/667,745	SHARRAH ET AL.	
	Examiner Lee Y Quach	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 10 October 2005.  
 2a) This action is **FINAL**.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-73 is/are pending in the application.  
 4a) Of the above claim(s) 3,35-46,56 and 64-73 is/are withdrawn from consideration.  
 5) Claim(s) 8,13,15,23,30,34,50-53 and 60-62 is/are allowed.  
 6) Claim(s) 1,2,4-7,9-12,14,16-22,24-29,31-33,47-49,54,55,57-59 and 63 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

**DETAILED ACTION*****Response to Arguments***

1. Applicant's arguments filed October 10, 2005 have been fully considered but they are not persuasive. With respect to the comments on page 23 of the amendment, it should be noted that an election was made on May 12, 2005 to prosecute the specie 4, figures 10 to 11, and claims 1, 2, 4 to 34, 47 to 55 and 57 to 63 read on the elected species with claims 3, 35 to 46, 56 and 64 to 73 not read on the elected species. It should also be noted that applicant is required under 35 U.S.C. 121 to elect a **single** disclosed species for prosecution on the merits if no generic claim is finally held to be allowable, and upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all of the limitations of an allowed generic claims. Although claims 8, 13, 15, 23, 30, 34, 50 and 60 have been rewritten in independent form but there are no claims to additional species, which are written in dependent form, that include all of the limitations of these allowed claims. The election of species requirement is therefore proper and was made final in the office action of July 2005. With respect to the objection to the specification, applicant has not completely responded to the objection to the specification. Note line 29 of page 17, the reference numeral "112" is incorrect and should be changed to --134-- because the lead "112" as shown in the drawing figures 7 to 11 is not bent to be positioned in a slot or groove 125 on the rearward end of the body. Objection to the specification remains and repeats as followed. In response to applicant's argument that the reference of Bennett fails to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., resilient sleeve being urged away from the dielectric body, dielectric body disposed in the bore with the electrically conductive sleeve around the exterior surface of the dielectric body and having an interior surface in electrical contact with the second electrical lead and ...) are not recited in the rejected claims 27, 31, .... Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Accordingly, rejection of claims 27, 31 ... as being anticipated by Bennett remains and follows. With respect to the reference of Huang, applicant's arguments amount to a general allegation that the claims define a patentable invention without specifically

pointing out how the language of the claims patentably distinguishes them from the Huang reference. Rejection of claims 1, 2, 4 to 6, 9 to 11, 14, 16 to 19, 21, 22, 24, 26 to 28, 31 and 32 remains and follows. With respect to the comment that the Examiner has indicated claims 8, 13, 30, 34, 50 and 60 are directed to allowable subject matter relating to the light source disposed in the bore of a metal member, therefore, claims 14 and 22 are patentable for the same reason, it should be noted that claims 8, 13, 30, 34, 50 and 60 are indicated as allowable because of the entire subject matter as claimed in their original dependent claims not just the light source disposed in the bore of a metal member. With respect to the reference of Chen, applicant states that nothing in Chen suggests a current limiting device. Applicant's attention is directed the element 51 which is a current limiting device. Although it is not called as a current limiting device but it is known that resistor is an electrical component that has the property of resistance, which enables it to oppose the flow of current in a circuit. In electronic circuits, resistors are introduced into a circuit to: (1) limit current to a safe value, (2) drop voltage to a required value, or (3) divide voltage from a single source into fractions of that value. Note Grolier Multimedia Encyclopedia. Since Chen teaches a means for exhibiting resistance such as the resistor or a current limiting device, the combination of Huang and Chen is proper and follows. Accordingly, rejection of claims 7, 12, 20, 25, 29, 33, 47 to 49, 54, 55, 57 to 59 and 63 remains and follows.

*Specification*

2. The disclosure is objected to because of the following informalities: Page 17, line 29, the reference numeral "112" is incorrect and should be changed to --134--. Appropriate correction is required.

*Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 27, 28, 31 and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Bennett (prior art previously cited).

Bennett shows a light source assembly comprising a dielectric body (3) having an exterior surface defining a first and second ends thereof, a light source (2) mounted proximate the first end of the dielectric body and having first and second electrical leads (column 2, line 15) extending from an end thereof proximate the dielectric body, the dielectric body having a longitudinal slot (slot, column 2, line 19) on the exterior surface thereof with the second electrical lead disposed in the slot (column 2, lines 18 to 19), the first electrical lead (column 2, line 16) extending into the dielectric body for providing an electrical lead at the second end thereof distal the light source, the second electrical lead (column 2, line 18) disposed proximate the exterior surface of the dielectric body for providing an electrical lead at the exterior surface of the dielectric body, an electrically conductive annular member (4) including an electrically conductive sleeve bearing against the dielectric body and the second electrical lead for providing an electrical contact at the exterior surface of the dielectric body.

5. Claims 1, 2, 4 to 6, 9 to 11, 14, 16 to 19, 21, 22, 24, 26 to 28, 31 and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Huang (prior art previously cited).

Huang shows a light source assembly comprising a dielectric body (50, 500) having an exterior surface defining a first and second ends thereof, a light source (510) mounted proximate the first end of the dielectric body and having first and second electrical leads (figures 7 and 8) extending from an end thereof proximate the dielectric body, the first electrical lead extending into the dielectric body for providing an electrical lead at the second end thereof distal the light source, the second electrical lead disposed proximate the exterior surface of the dielectric body for providing an electrical lead at the exterior surface of the dielectric body, an electrically conductive resilient annular member (400) including an electrically conductive sleeve bearing against the dielectric body and the second electrical lead for providing an electrical contact of the second electrical lead, the second electrical lead disposed between the resilient member and the dielectric body for urging the annular member away from the dielectric body (figure 3), the annular member extending beyond the second electrical lead for providing an electrical contact at the exterior surface of the dielectric body and for providing an electrical connection between the second electrical lead and a bore (figures 7 and 8, the passage within the metal tube) of a metal member (20, 200), the dielectric body having a slot (figures 7 and 8) on the exterior

surface thereof with the second electrical lead disposed in the slot, the metal member having a hole (the opening end) at an end thereof, and the light source assembly having the dielectric body disposed in the bore with the electrically conductive sleeve around the exterior surface of the dielectric body and having an interior surface in electrical contact with the second electrical lead (figures 7 and 8). Note that the light source having at least one lead extending into and/or through the hole, the light source therefore is extended into and/or through the hole (figures 7 and 8).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 7 and 12, 20 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang (prior art previously cited) in view of Chen (prior art cited by applicant).

Huang discloses the invention substantially as claimed with the exception of having means exhibiting resistance for extending the first electrical lead of the light emitting diode through the cylindrical body at an end thereof distal the light emitting diode.

Chen teaches a means exhibiting resistance including an electrical device such as a resistor (51) having a first electrical lead (column 2, lines 3 to 5) connecting to the first electrical lead (42) of the diode (4) and having a second electrical lead (column 2, lines 5 to 6) extending through the cylindrical body at the end thereof distal the diode for extending the first electrical lead of the diode through the cylindrical body at an end thereof distal the diode (figures 2 and 3).

It would have been obvious to one skilled in the art to provide Huang with a resistor having a first lead connecting to the first electrical lead of the light emitting diode and having a second electrical lead extending through the cylindrical body at the end thereof distal the light emitting diode, as shown by Chen, for extending the first electrical lead of the light emitting diode through the cylindrical body at an end thereof distal the light emitting diode.

8. Claims 29 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett (prior art previously cited) and Huang (prior art previously cited).

Bennett and Huang disclose that the electrically conductive annual member is metal.

However, Bennett and Huang do not disclose the specific metal as claimed. Note that having the specific metal as claimed would have been an obvious matter of design choice or preference, which provides no unusual and/or unexpected result and is therefore deemed to fall within a purview of an ordinary engineering design technique to use different types of metal including the metal as claimed to control the electrical conductivity levels and characteristics of the metal to suit different applications and environments.

9. Claims 47 to 49, 54, 55, 57 to 59 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang (prior art previously cited) in view of Chen (prior art cited by applicant).

Huang discloses a light source assembly comprising a cylindrical body of dielectric material (50, 500) having a slot (figures 7 and 8) on an exterior surface defining a periphery, a first and second ends thereof, a solid state light source such as a light emitting diode (510) mounted coaxially proximate the first end of the cylindrical body and having first and second electrical leads (figures 7 and 8) extending from an end thereof proximate the cylindrical body, the first electrical lead extending into the cylindrical body, the second electrical lead disposed in the slot thereof, and an electrically conductive annular metal member (400) including an electrically conductive sleeve disposed around the exterior surface of the cylindrical body and having an interior surface in electrical contact with the second electrical lead (figure 3) for providing an electrical contact for the second lead at the periphery of the cylindrical body. However, Huang does not disclose means exhibiting resistance for extending the first electrical lead of the light emitting diode through the cylindrical body at an end thereof distal the light emitting diode.

Chen teaches a means exhibiting resistance including an electrical device such as a resistor (51) having a first electrical lead (column 2, lines 3 to 5) connecting to the first electrical lead (42) of the diode (4) and having a second electrical lead (column 2, lines 5 to 6) extending through the cylindrical body at the end thereof distal the diode for extending the first electrical lead of the diode through the cylindrical body at an end thereof distal the diode (figures 2 and 3).

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It would have been obvious to one skilled in the art to provide Huang with a resistor having a first electrical lead connecting to the first electrical lead of the light emitting diode and having a second electrical lead extending through the cylindrical body at the end thereof distal the light emitting diode, as shown by Chen, for extending the first electrical lead of the light emitting diode through the cylindrical body at an end thereof distal the light emitting diode.

10. Claims 8, 13, 15, 23, 30, 34, 50 to 53 and 60 to 62 are allowed.

*Conclusion*

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y Quach Lee whose telephone number is 571-272-2373. The examiner can normally be reached on Tuesday and Thursday from 8:30 am to 4:30 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is 517-272-2815.

Y. Q.  
December 22, 2005



Y Quach Lee  
Primary Examiner  
Art Unit 2875